



From: veralrud oregonattorney.com <veralrud@oregonattorney.com>
Sent: Thursday, August 1, 2024 9:54 AM
To: Thiess, David (USACAE) <DThiess@usa.doj.gov>
Cc: info oregonattorney.com <info@oregonattorney.com>
Subject: [EXTERNAL] Re: Brian Baumgartner

David-

I noted I'd not responded to your last email. Just let me know when you'd like to schedule an interview with Mr. Baumgardner. I'm generally in the office over the next couple of months. I didn't file a responsive pleading to the civil complaint on behalf of Synergy RX LLC (DBA Synergy RX). Synergy RX LLC was the company Mr. Baumgardner formed to hold the pharmacy asset when he purchased it from Synergy Medical Systems LLC, an entity with other shareholders (including Mr. Baumgardner) in anticipation of selling the pharmacy to Peters. There are no assets Mr. Baumgardner is aware of and the LLC is listed as inactive in Oregon corp division records. Peters had constructive control and an unperfected ownership of the LLC during the relevant time frame of his fraud. Oregon state corporate records reflect that Peters via a female family member had actually registered a new LLC to transfer the pharmacy to from Baumgardner (similar name Synergy RX1, LLC). Baumgardner was advised the new LLC had been formed for Peters to complete acquisition but unfortunately for Mr. Baumgardner, left the finalizing of the transfer to Peters and it didn't happen before the roof fell in on Peters...reason Baumgardner is paying the financial penalties to the government now pursuant to his settlement with AUSA Gillian Bunker).

Given the current state of Synergy RX LLC I can't see a reason to file a response pleading for that entity. It's defunct (state of Oregon has terminated its state license...not sure if there's any federal status left to terminate).

I can immediately file a response pleading if need be on behalf of the other Synergy defendant, Synergy Medical Systems LLC (DBA Synergy RX), but believe Synergy Medical Systems LLC legitimately divested its interest in the pharmacy to Baumgardner before Baumgardner entered into the pharmacy sale agreement to Peters and had no interest in, never DBA'd as, Synergy RX LLC after Baumgardner acquired the pharmacy. Let me know if you want me to file a response to avoid a default judgement application against Synergy Medical Systems LLC and I will do so.

Thanks, Greg Veralrud

From: Thiess, David (USACAE) <David.Thiess@usdoj.gov>
Sent: Thursday, July 11, 2024 9:20 AM
To: veralrud oregonattorney.com <veralrud@oregonattorney.com>
Subject: RE: Brian Baumgartner

Ok thanks. I'm not available on the 29th or 30th but we will find a time that works. Will be back in touch.